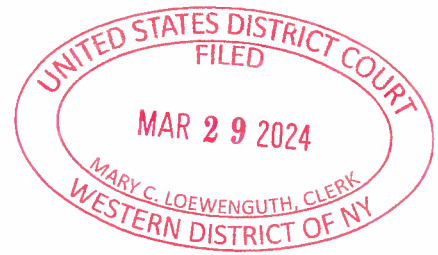


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UMBRA LLC,

Plaintiff,

v.

24-CV-59 (JLS)

THE CORPORATIONS, INDIVIDUALS,
PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED
ON SCHEDULE "A",

Defendants.

PRELIMINARY INJUNCTION ORDER

Before the Court is Plaintiff Umbra LLC's motion for a preliminary injunction (Dkt. 7). Based on its review of the complaint (Dkt. 1), the motion for a preliminary injunction and supporting declarations and exhibits (Dkt. 7), and the record of proceedings in this case, the Court finds the following:

- On February 22, 2024, Plaintiff filed *ex parte* applications for: (1) a temporary restraining order; (2) an order restraining Defendants' seller accounts and assets with relevant third-party service platforms and financial institutions; (3) an order to show cause why a preliminary injunction should not issue; (4) an order authorizing alternative service of process via email and website posting; and (5) an order authorizing expedited discovery of e-commerce marketplace platforms located at Temu.com, SHEIN.com, and eBay.com;

- On March 6, 2024, the Court entered an order granting Plaintiff's *ex parte* application (Dkt. 13) (the "TRO"), which ordered Defendants to appear on March 15, 2024, at 2:00 p.m., to show cause why a preliminary injunction should not issue;
- On March 12, 2024, Plaintiff effectuated service of the subpoenas and TRO on all third-party service providers;
- On March 12, 2024, Plaintiff moved for an extension of certain deadlines contained within the TRO, as well as for an extension of the TRO (Dkt. 14);
- On March 15, 2024, the Court granted Plaintiff's extension motion (Dkt. 15), extending the TRO by fourteen days, setting a March 27, 2024 deadline for any written opposition to the TRO and preliminary injunction motion, and rescheduling the show-cause hearing to March 29, 2024 at 3:30 p.m.;
- On March 20, 2024, Plaintiff served all papers filed in this lawsuit on each known Defendant;
- On March 27, 2024, pursuant to the alternative methods of service authorized by the TRO, Plaintiff received 57 signed summonses that were uploaded to a secure website containing copies of the complaint, the TRO, all papers filed in support of Plaintiff's application, and the March 15, 2024 extension order for review by each Defendant with a valid email address;

- No Defendant submitted a written opposition to the TRO and preliminary injunction motion by the March 27, 2024 deadline;
- On March 29, 2024, at 3:30 p.m., Plaintiff appeared at the show-cause hearing, but no Defendants appeared;
- For the reasons discussed on the record at the March 29, 2024 show-cause hearing, all Defendants, except Defendants 6, 8, and 11, received sufficient notice of the TRO and preliminary injunction motion; and
- For the reasons discussed on the record at the March 29, 2024 show-cause hearing, the Court has personal jurisdiction over all Defendants, except Defendants 6, 8, and 11.

Based on the above, and the record of the proceedings in this case, and for the additional reasons in the TRO (Dkt. 13), IT IS HEREBY ORDERED that:

1. This order shall apply to all of the seller IDs, associated e-commerce stores and websites, and any other seller identification names, e-commerce stores, domain names, websites, or financial accounts that are being used by Defendants to infringe Plaintiff's patent and/or unfairly compete with Plaintiff.
2. Each Defendant listed in Schedule "A"—except Defendants 6, 8, and 11—including its officers, directors, employees, agents, subsidiaries, and all persons in active concert or participation with any Defendant, having notice of this and order, are hereby restrained and enjoined until further order of this Court:

- a. from manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products infringing on the claims protected in Plaintiff's patent (Patent No: US 10,273,671 B2, dated April 20, 2019), or bearing reproductions or derivatives of Plaintiff's patent other than those actually manufactured or distributed by Plaintiff; and
 - b. from secreting, concealing, destroying, selling off, transferring, or otherwise disposing of: (i) any products, not manufactured or distributed by Plaintiff, bearing reproductions or derivatives of Plaintiff's patent; or (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing reproductions or derivatives of Plaintiff's patent; or (iii) any assets or other financial accounts subject to this order, including inventory assets, in the actual or constructive possession of, or owned, controlled, or held by, or subject to access by, any Defendant, including, but not limited to, any assets held by or on behalf of any Defendant.
3. Each Defendant, its officers, directors, employees, agents, subsidiaries, and any third-party financial institutions, payment processors, banks, escrow services, or money transmitters, and their related companies and affiliates, having notice of this order shall:
 - a. immediately discontinue the use of any unauthorized copies Plaintiff's patent, on or in connection with all Internet based e-

commerce seller stores owned and operated, or controlled by them, including the Internet based e-commerce stores operating under the seller IDs listed in Schedule “A” until further order of this Court;

b. not transfer ownership of the seller IDs listed in Schedule “A” during the pendency of this action, or until further order of the Court;

c. restrain the transfer of all funds, including funds relating to ongoing account activity, held or received for Defendants’ benefit or to be transferred into Defendants’ respective financial accounts and restrain any other financial accounts tied thereto, and immediately divert those restrained funds to a holding account for the trust of the Court.

AND IT IS FURTHER ORDERED that Plaintiff shall serve this order upon each Defendant, promptly upon ascertaining their email addresses, by:

1. sending emails to each Defendant via the email accounts provided by each Defendant as part of the data related to its e-commerce store, including customer service email addresses and onsite contact forms, or by the e-commerce platform email for each of the e-commerce stores, and in the email providing the address to Plaintiff’s designated website to Defendants; and
2. publicly posting a copy of this order and all filings in this matter on Plaintiff’s designated website: <https://bit.ly/RP-Umbra>;

AND IT IS FURTHER ORDERED that Defendants are hereby given notice that they may be deemed to have actual notice of the terms of this order, and any act in violation of this order may be considered and prosecuted as contempt of this Court;

AND IT IS FURTHER ORDERED that the \$10,000 bond posted by Plaintiff shall remain with the Court until a final disposition of this case, or until this order is terminated;

AND IT IS FURTHER ORDERED that this order shall remain in effect during the pendency of this action, or until further order of the Court;

AND IT IS FURTHER ORDERED that any Defendant subject to this order may appear and move to dissolve or modify the order on two days' notice to Plaintiff or on shorter notice as set by the Court;

AND IT IS FURTHER ORDERED that if Defendants do not appear, Plaintiff shall provide the Court with a status update by May 13, 2024, informing the Court whether Plaintiff intends to move for an order granting a permanent injunction and default judgment;

AND IT IS FURTHER ORDERED that this order shall go into effect immediately;

AND IT IS FURTHER ORDERED that this case is unsealed.

Dated: March 29, 2024
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE

SCHEDULE A

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
1	miihome	China	5Pack Silicone Shower Drain Sink Bathtub Stopper Cover Hair Catcher Strainer	https://www.ebay.com	eBay US
2	mygizmos	China	4Pack Silicone Shower Drain Sink Bathtub Stopper Cover Hair Catcher Strainer USA	https://www.ebay.com	eBay US
3	YWlinjin General	China	Prevent Clogging And Keep Sink Clean-1pc Push-style Silicone Rubber Floor Drain And Sink Stopper	https://us.shein.com	SHEIN.com
4	PartyGo General	China	1pc Push-style Silicone Rubber Floor Drain And Sink Stopper Prevent Clogging And Keep Sink Clean	https://us.shein.com	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
5	LiYun General	China	Sink Plug Floor Drain Dair Stopper Hand Sink Plug Bath Catcher Sink Strainer Cover Tool	https://us.shein	SHEIN.com
6	CHANJIAN General	China	4/8pcs Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry	https://us.shein	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
			1pc Washbasin sink leak plug, sewer pipe sink push-type flying saucer floor drain, odor-proof cover, bathroom sealing plug, Keep Your Bathroom Drains Clean and Clog-Free with Our Multi-Pack of Drain Stoppers!(random color)		
7	Chilin General	China		https://us.shein.com	SHEIN.com
8	BLISS General	China	1PCS Hair Catcher Durable Silicone Hair Stopper Shower Drain Covers, Press-fit sink saucer-shaped floor drain cover, Easy to Install and Clean Suit for Bathroom Bathtub and Kitchen	https://us.shein.com	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
9	Zhiyumaoyi General	China	3pcs Gray Bathroom Anti Clogging Floor Drain Plug,Kitchen Sink Drain Stopper,Anti-Odor Press Type Disc Drain Cover,Bathroom Tub Hair Catcher,Durable Shower Room Drain Caps.	https://us.shein	SHEIN.com
10	SZSSQ General	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray , Bathroom Tools	https://us.shein	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
11	Kyerbtde General	China	2pc Push-Type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray , Bathroom Tools	https://us.shein	SHEIN.com

JLS

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
12	Handsome General	China	5pcs/set Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray , Bathroom Too, Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen,	https://us.shein	SHEIN.com
13	TheStarLifeTub e General	China	Bathroom Bathtub Drain Cover Silicone Drain Plug Kitchen Sink Drain Stopper Cover - Non-selective Color: 1pc/pack	https://us.shein	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
14	SongXinCraft General	China	1pc 2-In-1 Drain Stopper Filter For Bathtub/Sink/Shower Waste Plug With Silicone Hot Water Tub Protector And Non-Slip Grip, Suitable For Floor, Laundry Room, Kitchen, Bathroom, Home Accessories	https://us.shein.com	SHEIN.com
15	YWtuanda General	China	Bathtub Stopper, Sink Stopper, Bathtub Drain Hair Catcher, Shower Drain Cover, Tub Sink Drain Strainer, Bathroom Drain Plug, Drain Stopper	https://us.shein.com	SHEIN.com
16	Xinyiyouxuan General	China	1pc Silicone Drain Stopper, Modern Solid Bath Tub Plug For Bathroom	https://us.shein.com	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
17	Kuujojo General	China	1pc Silicone Drain Stopper, Minimalist Grey Bath Tub Plug For Home	https://us.shein	SHEIN.com
18	CHENGYIJIAJV Tools & Home Improvement	China	2pcs Random Color Silicone Disc Shaped Drain Strainer And Seal Stopper Set, Suitable For Sinks And Bathtubs, Kitchen And Bathroom Accessories	https://us.shein	SHEIN.com
19	JHhuaisi General	China	5pcs/set Random Color Silicone Floor Drain Cover, Modern Solid Color Household Sewer Pipe Anti-smell Cover For Bathroom	https://us.shein	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
20	Qiyue General	China	1pc Shower Drain Stopper, Bathtub Stopper Silicone Drain Strainers Sink Stopper Easy to Install and Clean Protectors Cover for Bathtub Kitchen Bathroom and Laundry Sink Diameter 10 cm/3.94 inch-Random color	https://us.shein	SHEIN.com
21	Chengxin1 General	China	1pc Press-type Anti-insect And Deodorizing Silicone Drain Cover, Universal Plug For Sink, Hair Collector For Bathroom Drainage Pipe, Water Pressure Cover For Bathtub, Kitchen, Laundry Room	https://us.shein	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
22	WZyidong Tools & Home Improvement	China	1pc Sink Stopper Silicone Bathtub Stopper, Kitchen Sink Drain Strainer, Bathroom Drain Plug Drain Stopper, Shower Drain Sink Cover with Hair Strainer, Laundry Sink Drain Stopper (3 colors)	https://us.shein	SHEIN.com
23	Hongli01 Tools & Home Improvement	China	Kitchen Press Type Deodorant Filter Mesh, Silicone Disc Bouncing Drain Cover For Bathroom & Kitchen, Random Colors, 1/3pcs	https://us.shein	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
24	JieYang Tools & Home Improvement	China	1PC Kitchen Press Type Anti Clogging Silicone Floor Drain Size 3.85in * 3.85in Bathroom Anti Clogging Sink Filtering Floor Drain	https://us.shein.com	SHEIN.com
25	Louge General	China	1pc White Silicone Press-type Odor-proof Floor Drain Cover Bathroom Drain Filter Plug, Hidden Drain Cap Plastic Drainage	https://us.shein.com	SHEIN.com
26	JHkaisheng General	China	1pc Silicone Random Color Drain Stopper	https://us.shein.com	SHEIN.com
27	Youfanjiaju General	China	1pc Plastic Sink Filter Drain For Kitchen	https://us.shein.com	SHEIN.com
28	QZmushu Tools & Home Improvement	China	Sink Basin Drain Plug, Press Type Disk shaped Floor Drain With Anti-odor Cover For Bathroom	https://us.shein.com	SHEIN.com

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
29	Xiaohao Appliances	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray , Bathroom Tools	https://www.temu.com	TEMU marketplace
30	Home Furnishing factory	China	1pc 2-in-1 Drain Stopper & Filters Bathtub Sink Strainer, Shower Drain Hair Trap Catcher, Silicone Hot Bath Tub Protector Good Grips, Drain Cover For Floor, Laundry, Kitchen, Bathroom, Household Accessories	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
31	Winnies Department	China	1pc Press-type Anti-odor Sink Drain Strainer, Floor Drain Cover, Silicone Drain Stopper, Hair Catcher Shower Drain Cover, Round Bath Tub Plug For Home Bathroom, Bathroom Accessories	https://www.temu.com	TEMU marketplace
32	Luo si fen	China	3pcs Press-type Anti-odor Sink Drain Strainer, Floor Drain Cover, Silicone Drain Stopper, Hair Catcher Shower Drain Cover, Round Bath Tub Plug For Home Bathroom, Home Essentials	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
33	PENGCHENGFY	China	5pcs Press-type Anti-odor Sink Drain Strainer, Sink Drain Protector, Silicone Drain Stopper, Hair Catcher Shower Drain Cover, Round Bath Tub Plug For Home Bathroom, Bathroom Accessories	https://www.temu.com/	TEMU marketplace
34	Whtshop	China	1pc 2-in-1 Drain Stopper & Filters, Bathtub Sink Strainer Shower Drain Hair Trap Catcher, Silicone Hot Bath Tub Protector, Good Grips Drain Cover For Floor, Laundry, Kitchen, Bathroom, Household Accessories	https://www.temu.com/	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
35	yxw super factory	China	3pcs Press-type Anti-odor Sink Drain Strainer, Floor Drain Cover, Silicone Drain Stopper, Hair Catcher Shower Drain Cover, Round Bath Tub Plug For Home Bathroom, Home Essentials	https://www.temu.com	TEMU marketplace
36	Sweetness	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen Accessories	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
37	RR Beauty	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray, Bathroom Tools	https://www.temu.com	TEMU marketplace
38	JAMIE BEST	China	3pcs Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
39	Something Good Shop	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray	https://www.temu.com	TEMU marketplace
40	luoyingA	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
41	MSSugarHome	China	1pc Anti-Clogging Silicone Floor Drain with Push-Type Deodorant Closure and Bouncing Action , Bathroom Tools	https://www.temu.com/	TEMU marketplace
42	Luban Home Furnishing Factory	China	3/5pcs Push Type Silicone Floor Drain, Universal Silicone Sink Cover, Prevents Clogging, Bathroom Drain Hair Collector, Pressure Water Trap Cover, For Bathroom, Kitchen, Laundry, Gray, Bathroom Tools, Bathroom Sink Cover, Bathroom Cover	https://www.temu.com/	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
43	Adult body	China	1pc Kitchen Push-type Deodorant Closed Bouncing Silicone Floor Drain, Bathroom Anti-clogging Sink Filter, Floor Drain Plug	https://www.temu.com	TEMU marketplace
44	Honglin Network	China	2pcs Push-Type Silicone Floor Drain & Universal Sink Stopper, Prevent Clogging And Keep Your Sink Clean	https://www.temu.com	TEMU marketplace
45	Jingdi Flower Tea Shop	China	1pc Silicone Universal Sink Stopper, Prevents Clogging, Pressure Water Cover For Bathroom Drainer, Bathtub, Kitchen, Laundry Room, Silicone Floor Drain	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
46	yozea Home Furnishings	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray, Bathroom Tools	https://www.temu.com	TEMU marketplace
47	JCXKJ	China	1pc Silicone Anti-Odor Floor Drain with Press-Type Sink Filter - Easy to Install and Maintain - Perfect for Bathroom Sink and Tub - Reduces Odors and Clogs	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
48	NAN OFFICE STUDIES	China	2pcs Blue Kitchen Press-On Floor Drain, Odor Proof Silicone Dual Purpose Sink, Anti Clog Floor Drain, Round Plastic Filter Floor Drain Cover	https://www.temu.com	TEMU marketplace
49	Chaofan life	China	2pcs Kitchen Press-type Anti-odor Closed Bouncing Silicone Floor Drain, Bathroom Anti-clogging Plastic Sink Filter, Floor Drain Water Plug	https://www.temu.com	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
50	YINGTAI	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray, Bathroom Tools	https://www.temu.com/	TEMU marketplace
51	ZL office accessories	China	1/3/5pcs Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water Trap Cover For Tub, Kitchen, Laundry, Gray, Bathroom Tools	https://www.temu.com/	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
52	Colvyr	China	1pc Sink Anti-blocking Silicone Floor Drain, Press-type Anti-odor Sink Drain Strainer, Floor Drain Cover, Silicone Drain Stopper, Hair Catcher Shower Drain Cover, Drain Cover Filter For Home Bathroom, Home Essentials	https://www.temu.com/	TEMU marketplace
53	East rises	China	1pc Push-type Silicone Floor Drain, Silicone Universal Sink Stopper, Prevent Clogging, Bathroom Drain Hair Catcher, Press Water	https://www.temu.com/	TEMU marketplace

Def. No.	Seller's name	Location	Infringer's product description	URL(s)	Online Platform
54	HEGANG	China	2pcs Kitchen Press, Deodorant Closed Spring Silicone Floor Drain, Bathroom Anti-clogging Plastic Sink Filter, Water Plug Drain	https://www.temu.com	TEMU marketplace
55	LHBMAX	China	2pcs Prevent Clogging And Keep Your Sink Clean, Push-Type Silicone Floor Drain & Universal Sink Stopper	https://www.temu.com	TEMU marketplace
56	Mahua FunAge	China	2pcs Prevent Clogging And Keep Your Sink Clean, Push-Type Silicone Floor Drain & Universal Sink Stopper	https://www.temu.com	TEMU marketplace

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